

## PATENT

Attorney's Docket No. \_\_\_\_\_

## COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

## TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☒ original  
☐ design  
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

## INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## TITLE OF INVENTION

ADAPTIVE COMMUNICATION SYSTEM

## SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☒ is attached hereto.  
 (b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. 0 / \_\_\_\_\_  
 or ☐ Express Mail No., as Serial No. not yet known \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

0849875-051897

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

- ☐ which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

*(also check the following items, if desired)*

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

## PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

*(complete (d) or (e))*

- (d) ☐ no such applications have been filed.
- (e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

## A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
S AFRICA	94/10066	19 DECEMBER 1994	<input checked="" type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

13 John J. Chrystal, 26360; Thomas F. Peterson, 24790; Richard J. Streit, 25765; Timothy J. Keefer, 35567; Jie Sha, 37503; Lawrence J. Chapa, 39135; Leslie A. Gladstone, 38893; Paul B. West, 18947; Joseph H. Handelman, 26179; Peter D. Galloway 27885; John Richards, 31503; Iain C. Baillie, 24090; Richard P. Berg, 28145

- ☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

John J. Chrystal  
c/o Ladas & Parry  
224 South Michigan Avenue  
Chicago, Illinois 60604

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

(312) 427-1300

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

DAVID  
(GIVEN NAME)

VICTOR  
(MIDDLE INITIAL OR NAME)

LARSEN  
FAMILY (OR LAST NAME)

Inventor's signature

Date 29 May 1997

Country of Citizenship SOUTH AFRICA

Residence PORTION 86-87 OF FARM DOORNKLOOF, PRETORIA, SOUTH AFRICA

Post Office Address AS ABOVE

Full name of second joint inventor, if any

JAMES  
(GIVEN NAME)

DAVID  
(MIDDLE INITIAL OR NAME)

LARSEN  
FAMILY (OR LAST NAME)

Inventor's signature

Date 29 May 1997

Country of Citizenship SOUTH AFRICA

Residence PORTION 86-87 OF FARM DOORNKLOOF, PRETORIA, SOUTH AFRICA

Post Office Address AS ABOVE

Full name of third joint inventor, if any

GERHARD  
(GIVEN NAME)

WILLEM  
(MIDDLE INITIAL OR NAME)

VAN LOCHEM  
FAMILY (OR LAST NAME)

Inventor's signature

Date 29 May 1997

Country of Citizenship SOUTH AFRICA

Residence 115 FARNHAM ROAD, LYNNWOOD MANOR, PRETORIA, SOUTH AFRICA

Post Office Address AS ABOVE

ADDED PAGE TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS

Full name of fourth joint inventor, if any

MARK

(GIVEN NAME)

SIEVERT

(MIDDLE INITIAL OR NAME)

LARSEN

FAMILY (OR LAST NAME)

Inventor's signature

Date 29 May 97

Country of Citizenship

SOUTH AFRICA

Residence 22 DARLINGTON ROAD, LYNNWOOD MANOR, PRETORIA, SOUTH AFRICA

Post Office Address AS ABOVE

Full name of fifth joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

Full name of sixth joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

08849875-061897

Applicant or Patentee: SALBU RESEARCH AND DEVELOPMENT (PROPRIETARY) Attorney's  
 Serial or Patent No.: LIMITED Docket No.:  
 Filed or Issued:  
 For: ADAPTIVE COMMUNICATION SYSTEM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9 (f) and 1.27 (c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN SALBU RESEARCH AND DEVELOPMENT (PROPRIETARY) LIMITED  
 ADDRESS OF CONCERN PORTION 86-87 OF FARM DOORNKLOOF, PRETORIA, SOUTH AFRICA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

ADAPTIVE COMMUNICATION SYSTEM by inventor(s)  
DAVID VICTOR LARSEN; JAMES DAVID LARSEN; GERHARD WILLEM VAN LOCHEM; described in  
MARK SIEVERT LARSEN

☒ the specification filed herewith

☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING JAMES DAVID LARSEN  
 TITLE OF PERSON OTHER THAN OWNER DIRECTOR  
 ADDRESS OF PERSON SIGNING Portion 86-87 of Farm Doornkloof, Pretoria, South Africa

SIGNATURE [Signature] / DATE 30th MAY 1997

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